

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SALVADOR ARELLANES JIMENEZ *et al.*,

Plaintiff,

-v-

G&J'S PIZZERIA LLC and GREGORY BARRIOS,

Defendants.  
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20 Civ. 5454 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Plaintiffs Salvador Arellanes Jimenez and Genaro Cisneros seek to compel Defendant Gregory Barrios's answers to their post-judgment information subpoena pursuant to Federal Rule of Civil Procedure 37(a).

On June 22, 2023, Plaintiffs served Gregory Barrios with an information subpoena pursuant to Federal Rule of Civil Procedure 69. Mr. Barrios's responses to the information subpoena were due June 29, 2023, yet Mr. Barrios failed to provide responses by the due date.

On July 14, 2023, Plaintiffs asked the Court for a pre-motion conference in anticipation of their motion to compel Mr. Barrios' responses. This Court directed: (1) Plaintiffs to move to compel Mr. Barrios by July 31, 2023; and (2) Mr. Barrios to file any opposition by August 14, 2023. On July 31, 2023, Plaintiffs filed their motion to compel Mr. Barrios's responses. Dkt. 63. Mr. Barrios failed to file any opposition by August 14, 2023. Moreover, after the Court granted Mr. Barrios an extension to August 18, 2023, and warned that if he once again failed to do so "the Court will grant Plaintiffs' request," Dkt. 64, Mr. Barrios still failed to file any opposition. To date Mr. Barrios has neither filed any opposition to Plaintiffs' motion nor provided any responses to Plaintiffs' information subpoena.

Accordingly, it is hereby ORDERED that Plaintiffs' motion to compel Defendant Gregory Barrios is granted. Mr. Barrios is directed to respond to Plaintiffs' information subpoena within fourteen (14) days of being served with this Order. Mr. Barrios is warned that the further failure to comply with a subpoena served upon him may result in the imposition of sanctions, including being held in contempt.

Plaintiffs shall serve Defendant with a copy of this order via email, as contemplated in the Court's previous order, Dkt. 62, and file proof of such service on the docket no later than August 28, 2023. The Clerk of Court is respectfully directed to close Docket Number 63.

SO ORDERED.

Dated: August 24, 2023  
New York, New York



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JOHN P. CRONAN  
United States District Judge